

**REMARKS**

In the final Office Action, the Examiner makes the following rejections:

- Claims 1, 2, 3, 5, and 12 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. (U.S. Patent No. 6,463,062), in view of GAI (U.S. Patent No. 6,167,445), and in further view of ISE et al. (U.S. Patent No. 6,999,419);
- Claim 4 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., and in still further view of NOAKE et al. (U.S. Patent No. 6,751,222);
- Claim 7 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., and in still further view of FARRIS (U.S. Patent No. 6,154,445);
- Claims 6, 8, and 9 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al. and in still further view of CHRISTIE et al. (U.S. Patent No. 6,690,656);
- Claim 10 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI, in further view of ISE et al., and in still further view of VANDERVORT et al. (U.S. Patent No. 5,761,191) or HORN et al. (U.S. Patent No. 5,276,676);
- Claims 14-16, 18, 31, 39, 42, 43, 45 and 58 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE, and in still further view of SMITH (U.S. Patent No. 6,222,823);
- Claim 13 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE, and in still further view of BASSO (U.S. Patent No. 6,633,539);
- Claims 17 and 44 rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE, in still further view of SMITH, and in even further view of NOAKE;
- Claims 19-21, 23-26, 46-48, and 50 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE, in still further view of SMITH, and in even further of view of CHRISTIE;
- Claims 22 and 49 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE, in still further view of SMITH, and in even further of view of FARRIS;

- Claims 38 and 65 are rejected under 35 U.S.C. § 103(a) allegedly as unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE, in still further view of SMITH, and in even further of view of BASSO et al.;
- Claims 27-29 and 54-56 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE, in still further view of SMITH, and in even further of view of KOBAYASHI et al. (U.S. Patent No. 5,896,371); and
- Claims 32-37 and 59-64 are rejected under 35 U.S.C. § 103(a) allegedly as unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE, in still further view of KILKKI (U.S. Patent No. 6,041,039).

Applicants respectfully traverse the above rejections. Claims 1-10, 12-29, 31-39, 42-50, 54-56, and 58-81 are pending, of which claims 66-81 were previously withdrawn in response to a restriction requirement.

**Rejection under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, and ISE et al.**

Claims 1, 2, 3, 5, and 12 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, and in further view of ISE et al. Applicants respectfully traverse this rejection.

For example, claim 1 recites a method in an Asynchronous Transfer Mode (ATM) network including an ingress switch and an egress switch, where the ingress switch serves an ingress device operated by a calling party and the egress switch serves an egress device operated by a called party, the method comprising: receiving, in the ingress switch, a first signaling message and a second signaling message from the ingress device; providing the first signaling message and the second signaling message to a signaling intercept processor associated with the ingress switch; propagating the first signaling message and the second signaling message from the signaling intercept processor to a policy server, the policy server being associated with a policy profile database, the policy profile database storing entries that relate subscribers to

policies, where each policy identifies one or more policy features, of a group of policy features, with which the related subscriber is associated; identifying, in the policy profile database and based on the first signaling message and the second signaling message, a policy for the calling party; determining, in the policy server and based on the first signaling message and the second signaling message, that the policy for the calling party is to be enforced; executing, in the policy server and based on the first signaling message and the second signaling message, appropriate service logic for each policy feature of the one or more policy features identified by the policy for the calling party; determining whether a policy condition associated with each policy feature, of the one or more policy features identified by the policy for the calling party, is satisfied with respect to the first signaling message and the second signaling message, where the one or more policy features, identified by the policy for the calling party, comprises an aggregate bandwidth limit feature, and where determining whether the policy condition associated with each policy feature is satisfied comprises: identifying an available forward bandwidth from the ingress switch to the egress switch, identifying an available reverse bandwidth from the egress switch to the ingress switch, calculating a first requested bandwidth associated with the first signaling message, where the first requested bandwidth includes a first forward requested bandwidth from the ingress switch to the egress switch and a first reverse requested bandwidth from the egress switch to the ingress switch, calculating a second requested bandwidth associated with the second signaling message, where the second requested bandwidth includes a second forward requested bandwidth from the ingress switch to the egress switch and a second reverse requested bandwidth from the egress switch to the ingress switch, determining that the available forward bandwidth exceeds the first forward requested bandwidth and that the available reverse bandwidth exceeds the first reverse requested bandwidth, determining an occurrence of at least

one of: a total forward requested bandwidth, including the first requested forward bandwidth and the second requested forward bandwidth, exceeds the available forward bandwidth, or a total reverse requested bandwidth, including the first requested reverse bandwidth and the second requested reverse bandwidth, exceeds the available reverse bandwidth, determining that the policy condition is satisfied for the aggregate bandwidth limit feature for the first signaling message, and determining that the policy condition is not satisfied for the aggregate bandwidth limit feature for the second signaling message, and forwarding, to the ingress device, a connection failure notice related to the second signaling message; and establishing a connection path, related to the first signaling message, between the ingress switch and the egress switch based on the determination that the policy condition is satisfied for each policy feature, of the one or more policy features identified by the policy for the calling party. BUYUKKOC et al., GAI, and ISE et al. do not disclose or suggest one or more of these features.

For example, BUYUKKOC et al., GAI, and ISE et al. do not disclose or suggest “identifying an available forward bandwidth from the ingress switch to the egress switch,” and “identifying an available reverse bandwidth from the egress switch to the ingress switch.” The Examiner admits that BUYUKKOC et al. and GAI do not disclose these features (Office Action at page 10) and alleges that these features are disclosed in ISE et al., respectively, at col. 4, lines 61-67 and at FIG. 18 and col. 18, lines 62-67 (Office Action at pages 11 and 12). Applicants respectfully disagree with the Examiner's interpretation of ISE et al.

At col. 4, lines 61-67, ISE et al. states:

In order for the edge node to obtain the remaining resources, the communication resources that can be allocated to each set of flows can be set up in advance such that the prescribed communication quality can be satisfied, or the remaining resources on the route can be notified to the edge node by exchanging messages among nodes on the route from the ingress node to the egress node of the network.

This section of ISE et al. discloses, for example, that an edge node is notified of remaining resources on a route between an ingress node to an egress node based on exchanging messages among nodes on the route. The Examiner appears to allege that the remaining resources correspond to “the available forward bandwidth from the ingress switch to the egress switch,” recited in claim 1. Applicants note, however, that this section of ISE et al. does not relate to the forward bandwidth recited in claim 1 and, instead, merely relates to determining remaining resources on a route between an ingress node to an egress node. In fact, this section of ISE et al. does not mention any type of forward or reverse bandwidth.

For at least these reasons, this section of ISE et al. does not disclose or suggest “identifying an available forward bandwidth from the ingress switch to the egress switch,” and “identifying an available reverse bandwidth from the egress switch to the ingress switch,” as recited in claim 1.

At col. 18, line 62-col. 19, line 3, ISE et al. discusses FIG. 18 and states:

On the other hand, the egress edge node transmits the remaining bandwidth notification packet. The core node that received this remaining bandwidth notification packet judges whether the received link is the output link of the flow group described in that packet, and if it is the output link, the value of the remaining bandwidth described in this packet and the value of the remaining bandwidth at the own node are compared, and the remaining bandwidth notification packet with the smaller one of these written therein is transmitted toward all the links other than the received link.

This section of ISE et al. discloses, for example, that “the egress edge node transmits the remaining bandwidth notification packet.” The Examiner appears to allege that the value of the remaining bandwidth in the remaining bandwidth notification packet, sent by the egress node, corresponds to the available reverse bandwidth from the egress switch to the ingress switch recited in claim 1. Applicants respectfully disagree and note that this section merely relates to

using the remaining bandwidth notification packet to determine remaining resources on a route between an ingress node to an egress node. Thus, while the remaining bandwidth notification packet is sent from the egress node to the ingress node, this section of ISE et al. does not disclose or suggest discloses identifying an available reverse bandwidth between the egress node and the ingress node, as would be required of ISE et al. based on the Examiner's interpretation of claim 1. Rather, the Examiner has merely identified that the same remaining resources on a route between an ingress node and an egress node as allegedly corresponding to both the recited available forward bandwidth and available reverse bandwidth.

Applicants submit that the Examiner's allegations with the features of available forward bandwidth and available reverse bandwidth in Applicants' specification and according to the understanding of one of skill in the art. Clearly, this and other sections of ISE et al. do not disclose or suggest separately identifying available forward bandwidth and identifying available reverse bandwidth, as would be required of ISE et al. based on the Examiner's interpretation of claim 1.

For at least these reasons, this section of ISE et al. does not disclose or suggest "identifying an available forward bandwidth from the ingress switch to the egress switch," and "identifying an available reverse bandwidth from the egress switch to the ingress switch," as recited in claim 1.

Since BUYUKKOC et al., GAI, and ISE et al., whether considered alone or in any reasonable combination, do not disclose or suggest "identifying an available forward bandwidth from the ingress switch to the egress switch," and "identifying an available reverse bandwidth from the egress switch to the ingress switch," as recited in claim 1, BUYUKKOC et al., GAI, and ISE et al. cannot be reasonably construed to disclose or suggest "determining an occurrence

of at least one of: a total forward requested bandwidth, including the first requested forward bandwidth and the second requested forward bandwidth, exceeds the available forward bandwidth, or a total reverse requested bandwidth, including the first requested reverse bandwidth and the second requested reverse bandwidth, exceeds the available reverse bandwidth,” as further recited in claim 1. The Examiner admits that BUYUKKOC et al. and GAI do not disclose or suggest this feature (Office Action at page 11) and alleges that this feature is disclosed in ISE et al. at col. 4, lines 30-60 and col. 18, lines 9-21 (Office Action at pages 12 and 13). Applicants respectfully disagree with the Examiner's interpretation of ISE et al.

At col. 4, lines 30-60, ISE et al. states:

According to one aspect of the present invention there is provided a method for managing communication resources in a network containing edge nodes located at a boundary of the network and core nodes located inside the network, comprising the steps of: (a) storing at one edge node an information for obtaining an available amount of communication resources that can be newly allocated in the network to one set of flows which share at least a route from said one edge node to an egress node of the network; (b) carrying out an admission control at said one edge node by newly receiving a request for allocation of communication resources for one flow belonging to said one set of flows, judging whether or not to accept the request according to a requested amount of communication resources and the available amount of communication resources as obtained from the information stored at the step (a) for said one set of flows, and allocating requested communication resources to said one flow when it is judged that the request is to be accepted; and (c) transmitting packets at said one edge node by describing a priority level in each packet according to an amount of communication resources allocated to a flow of the packets at the step (b), such that a core node carries out a transfer processing with respect to received packets according to the priority level described in each received packet.

In this aspect, the edge node can check whether the remaining resources (resources that can be newly allocated) are sufficient or not before accepting the resource allocation request for some flow, so that it is possible to transfer packets of the flow such that the communication quality of the accepted flow can be satisfied even when arrived packets of that flow uses the requested resources fully, in this network.

This section of ISE et al. discloses, for example, that an edge node checks whether the remaining resources between the edge node and an egress node are sufficient before accepting a resource allocation request for a flow from the edge node to the egress node. At the outset, Applicants notes that this section of ISE et al. relates to a flow travelling in one direction from the edge node and the egress node such that the available resources are not applicable to the “total reverse requested bandwidth” recited in claim 1 (emphasis added). Moreover, this section of ISE et al. relates to evaluating a single transmission and does not disclose or suggest anything that could reasonably correspond to the first requested forward bandwidth and the second requested forward bandwidth, recited in claim 1.

For at least these reasons, this section of ISE et al. does not disclose or suggest “determining an occurrence of at least one of: a total forward requested bandwidth, including the first requested forward bandwidth and the second requested forward bandwidth, exceeds the available forward bandwidth, or a total reverse requested bandwidth, including the first requested reverse bandwidth and the second requested reverse bandwidth, exceeds the available reverse bandwidth,” as recited in claim 1.

At col. 18, lines 9-21, ISE et al. states:

Each edge node stores the remaining bandwidth so notified along with the corresponding flow group identifier, and overwrites the stored content when a new remaining bandwidth notification packet having the same flow group identifier is received.

In this way, it becomes possible for the edge node 201, for example, to make a judgement as to whether or not to accept the bandwidth reservation request upon newly receiving the bandwidth reservation request for the flow belonging to the flow group indicated by the flow group identifier (193.20.0.0, 255.255.0.0, 0.0.0.0, 0.0.0.0), according to whether the requested bandwidth is smaller than 500 [Kbps] or not, by referring to the above described stored content.



This section of ISE et al. discloses, for example, that an edge node stores a remaining bandwidth value and uses this value to evaluate a bandwidth reservation request. At the outset, Applicants notes that this section of ISE et al. relates to a flow travelling in one direction from the edge node and the egress node such that the available resources are not applicable to the “total reverse requested bandwidth” recited in claim 1 (emphasis added). Moreover, this section of ISE et al. relates to evaluating a single transmission and does not disclose or suggest anything that could reasonably correspond to the first requested forward bandwidth and the second requested forward bandwidth, recited in claim 1.

For at least these reasons, this section of ISE et al. does not disclose or suggest “determining an occurrence of at least one of: a total forward requested bandwidth, including the first requested forward bandwidth and the second requested forward bandwidth, exceeds the available forward bandwidth, or a total reverse requested bandwidth, including the first requested reverse bandwidth and the second requested reverse bandwidth, exceeds the available reverse bandwidth,” as recited in claim 1.

For at least these reasons, claim 1 is patentable over BUYUKKOC et al., GAI, and ISE et al., whether considered alone or in any reasonable combination. Claims 2, 3, 5, and 12 depend from claim 1. Without acquiescing in the Examiner's allegations, Applicants submit that these claims are patentable over BUYUKKOC et al., GAI, and ISE et al., whether considered alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 2, 3, 5, and 12 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI., and ISE et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al. and NOAKE et al.***

Claim 4 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., and in still further view of NOAKE et al. Applicants respectfully traverse this rejection.

Claim 4 depends from claim 1. Without acquiescing in the Examiner's allegations, Applicants submit that the disclosure of NOAKE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, and ISE et al. set forth above with respect to claim 1. Therefore, Applicants submit that claim 4 is patentable over BUYUKKOC et al., GAI, ISE et al., and NOAKE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 4 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, ISE et al., and NOAKE et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al., and CHRISTIE et al.***

Claims 6, 8, and 9 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI, in further view of ISE et al., and in still further view of CHRISTIE et al. Applicants respectfully traverse this rejection.

Claims 6, 8, and 9 depend from claim 1. Without acquiescing in the rejection of claims 6, 8, and 9, Applicants submit that the disclosure of CHRISTIE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, and ISE et al. set forth above with respect to claim 1. Therefore, Applicants submit that claims 6, 8, and 9 are patentable over

BUYUKKOC et al., GAI, ISE et al., and CHRISTIE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 6, 8, and 9 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, ISE et al., and CHRISTIE et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al., and FARRIS et al.***

Claim 7 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., and in still further view of FARRIS et al. Applicants respectfully traverse this rejection.

Claim 7 depends from claim 1. Without acquiescing in the rejection of claim 7, Applicants submit that the disclosure of FARRIS et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, and ISE et al. set forth above with respect to claim 1. Therefore, Applicants submit that claim 7 is patentable over BUYUKKOC et al., GAI, ISE et al., and FARRIS et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 7 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, ISE et al., and FARRIS et al.

**Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al., and one of VANDERVORT et al. or HORN et al.**

Claim 10 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI, , in further view of ISE et al., and in further view of VANDERVORT et al. or HORN et al. Applicants respectfully traverse this rejection.

Claim 10 depends from claim 1. Without acquiescing in the rejection of claim 10, Applicants submit that the disclosures of VANDERVORT et al. and HORN et al. do not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, and ISE et al. set forth above with respect to claim 1. Therefore, Applicants submit that claim 10 is patentable over BUYUKKOC et al., GAI, ISE et al., and VANDERVORT et al. and over BUYUKKOC et al., GAI, ISE et al., and HORN et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 10 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, ISE et al. and VANDERVORT et al./HORN et al.

**Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al., and BASSO et al.**

Claim 13 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., and in still further view of BASSO et al. Applicants respectfully traverse this rejection.

Claim 13 depends from claim 1. Without acquiescing in the rejection of claim 13, Applicants submit that the disclosure of BASSO et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, and ISE et al. set forth above with respect to claim 1. Therefore, Applicants submit that claim 13 is patentable over BUYUKKOC et al., GAI, ISE et

al., and BASSO et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 13 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, ISE et al., and BASSO et al.

**Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al., and SMITH**

Claims 14-16, 18, 31, 39, 42, 43, 45, and 58 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., and in still further of view of SMITH. Applicants respectfully traverse this rejection.

Independent claims 14 and 39 to recite features similar to (yet possibly of different scope than) features described above with respect to claim 1. The disclosure in SMITH does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, and ISE et al. set forth above with respect to claim 1. Therefore, Applicants submit that claims 14 and 39 are patentable over BUYUKKOC et al., GAI, ISE et al., and SMITH, whether taken alone or in any reasonable combination, for at least reasons similar to the reasons given above with respect to claim 1.

Claims 15, 16, 18, 31, 42, 43, 45, and 58 depend from one of claims 14 and 39. Therefore, these claims are patentable over BUYUKKOC et al., GAI, ISE et al., and SMITH, whether considered alone or in any reasonable combination, for at least the reasons given with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 14-16, 18, 31, 39, 42, 43, 45, and 58 under 35 U.S.C. § 103(a) based on over BUYUKKOC et al., GAI, ISE et al., and SMITH.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al., SMITH, and NAOKE et al.***

Claims 17 and 44 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., in even further view of SMITH, and in still further view of NAOKE et al. Applicants respectfully traverse this rejection.

Claim 17 depends from claim 14. Without acquiescing in the rejection of claim 17, Applicants submit that the disclosure of NAOKE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, ISE et al., and SMITH set forth above with respect to claim 14. Therefore, Applicants submit that claim 17 is patentable over BUYUKKOC et al., GAI, ISE et al., SMITH, and NAOKE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 14.

Claim 44 depends from claim 39. Without acquiescing in the rejection of claim 44, Applicants submit that the disclosure of NAOKE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, ISE et al., and SMITH set forth above with respect to claim 39. Therefore, Applicants submit that claim 44 is patentable over BUYUKKOC et al., GAI, ISE et al., SMITH, and NAOKE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 17 and 44 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, ISE et al., SMITH, and NAOKE et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al., SMITH, and CHRISTIE et al.***

Claims 19-21, 23-26, 46-48, and 50 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., in still further view of SMITH, and in even further view of CHRISTIE et al. Applicants respectfully traverse this rejection.

Claims 19-21, 23-26, 46-48, and 50 depend from one of claims 14 and 39. Without acquiescing in the rejection of these claims, Applicants submit that the disclosure of CHRISTIE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, ISE et al., and SMITH set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 19-21, 23-26, 46-48, and 50 are patentable over BUYUKKOC et al., GAI, ISE et al., SMTIH, and CHRISTIE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 19-21, 23-26, 46-48, and 50 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, ISE et al., SMITH, and CHRISTIE et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al., SMITH, and FARRIS et al.***

Claims 22 and 49 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., and in still further view of SMITH, and in even further view of FARRIS et al. Applicants respectfully traverse this rejection.

Claims 22 and 49 depend from one of claims 14 and 39. Without acquiescing in the rejection of claims 22 and 49, Applicants submit that the disclosure of FARRIS et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, ISE et al., and SMITH set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 22 and 49 are patentable over BUYUKKOC et al., GAI, ISE et al., SMTIH, and FARRIS et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 22 and 49 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, ISE et al., SMITH, and FARRIS et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al., SMITH, and KOBAYASHI et al.***

Claims 27-29 and 54-56 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., and in still further view of SMITH, and in even further view of KOBAYASHI et al. Applicants respectfully traverse this rejection.

Claims 27-29 and 54-56 depend, respectively, from claims 14 and 39. Without acquiescing in the rejection of claims 27-29 and 54-56, Applicants submit that the disclosure of KOBAYASHI et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, ISE et al., and SMITH set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 27-29 and 54-56 are patentable over BUYUKKOC et al., GAI, ISE et al., SMTIH, and KOBAYASHI et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.



Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 27-29 and 54-56 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, ISE et al., SMITH, and KOBAYASHI et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al., SMITH, and KILKKI et al.***

Claims 32-37 and 59-64 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., and in further view of SMITH, and in still further view of KILKKI et al. Applicants respectfully traverse this rejection.

Claims 32-37 and 59-64 depend, respectively, from claims 14 and 39. Without acquiescing in the rejection of claims 32-37 and 59-64, Applicants submit that the disclosure of KILKKI et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, ISE et al., and SMITH set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 32-37 and 59-64 are patentable over BUYUKKOC et al., GAI, ISE et al., SMITH, and KILKKI et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 32-37 and 59-64 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, ISE et al., SMITH, and KILKKI et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI, ISE et al., SMITH, and BASSO et al.***

Claims 38 and 65 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI, in further view of ISE et al., in still further view of SMITH, and in even further view of BASSO et al. Applicants respectfully traverse this rejection.

Claims 38 and 65 depend, respectively, from claims 14 and 39. Without acquiescing in the rejection of claims 38 and 65, Applicants submit that the disclosure of BASSO et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI, ISE et al., and SMITH set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 38 and 65 are patentable over BUYUKKOC et al., GAI, ISE et al., SMTIH, and BASSO et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 38 and 65 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI, ISE et al., SMITH, and BASSO et al.

**Conclusion**

In view of the foregoing remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the claims.

As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the final Office Action or certain requirements that may be applicable to such assertions (e.g., whether a reference constitutes prior art, reasons to modify a reference and/or to combine references, assertions as to dependent claims, assertions regarding Official Notice, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

HARRITY & HARRITY, LLP

By: /David D. Nelson, Reg. No. 47,818/  
David D. Nelson  
Registration No. 47,818

Date: February 4, 2011  
11350 Random Hills Road  
Suite 600  
Fairfax, Virginia 22030  
(571) 432-0800

Customer Number: 25537